IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.13463 of 1998

Dated: 21-02-2007

Between:

Jwala Rajasekhar Reddy, s/o Jwala Pedda Reddy,
aged about 35 years,
r/o 16/3727, Durganagar,
Dharmavaram village and Mandal,
Anantapur District.

... Petitioner

and

1. The Revenue Divisional Officer (L.A.O),
   Dharmavaram, Anantapur District and 2 others.

... Respondents

ORDER:

This writ petition is filed seeking *mandamus* declaring the action of the respondents 1 and 2 in passing the award amount in award No.8/96, dated 20-08-1996 to the third respondent, without any notice to the petitioner which is contrary to the provisions of the Land Acquisition Act, 1894 (for short, 'the Act'), as illegal and arbitrary.

2. It is the case of the petitioner that the first respondent – Land Acquisition Officer acquired the joint family property belonging to the petitioner and granted compensation vide award No.8/96, dated 20-08-1996. According to the petitioner, he is entitled to 1/3rd share from out of the share allotted to his father. The grievance of the petitioner is that the first respondent before passing the said award did not conduct any enquiry as contemplated under Section 11 of the Act or given any notice to him as provided under Sections 8 and 9 of the Act.

3. Heard learned counsel for the parties.

4. From the facts it is clear that the petitioner gave representations to the first respondent – Land Acquisition Officer on 23-10-1996 and 14-03-1998 requesting him not to give the amount of his share to his mother and to refer the matter to the Civil Court under Section 30 of the Act, but it appears, according to the petitioner, the matter is not referred to the Civil Court.

5. In the light of the said facts and as no counter affidavit is filed on behalf of the respondents, I deem it appropriate to dispose of the writ petition with a direction to the first respondent – Land Acquisition Officer to consider the representations dated 23-10-1996 and 14-03-1998 given by the petitioner and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.21-02-2007
GLV